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UNITED STATES DISTRICT COURT

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

SOUTHERN DISTRICT OF NEW YORK

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STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York December 14, 2007

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

NAPOLI BERN Attorneys for Plaintiff

Christopher R. Lopalo, Esq. (CL-6466)

WORBY GRONER EDELMAN &

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022 (212) 651-1500

Trust Company, N.A.

115 Broadway, 12th Floor: New York, New York 10006 (212) 267-3700

VIN K. HELLERSTEIN

## SCHEDULE A

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

	Plaintiff Name	Index # All (AKH)
1	Acosta, Byron	07CV1552
2	Adriano, Luis	07CV4445
3	Agudelo, Gladys	07CV4446
4	Ali, Enrique	07CV01554
5	Allivar, Raul	05CV9821
. 6	Alvarez, Maria	05CV10135
. 7	Alvarracin, Jose	07CV01556
8	Asencio, Ivan	07CV,1460
9	Atencia, Marcelo	07CV01562
10	Bailon, Peter B.	07CV05336
11	Barahona, Jose	07CV5550
12	Betancourt, Hector	07CV4453
13	Burgos, Leopoldo	07CV1473
14	Caguana, Manuel	06CV11968
15	Calero, Ivan	07CV1575
16	Calle, Wilson	07CV01578
17	Campoverde, Rey R.	07CV05280
18	Campozano, Rodrigo	07CV4459
19	Cardenas, Edison	07CV1580
20	Castillo, Silvia	05CV1718
21	Chuva, Nancy	07CV01589
22	Cintron, Yolanda	06CV5631
23	Cortez, Jorge E.	07CV05394
24	Criollo, Nancy	07CV4462
25	Dota, Clara	07CV01602
26	Drake, Jesse	07CV05353
27	Duarte, Inerva	07CV01603
28	Dutan, Elvia and Wilfredo	07CV1606
29	Encalada, Jorge	07CV1607
30	Franco, Luis	07CV4466

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35         Giamo, Samuel T.         06CV11676           36         Giraldo, Hitien E.         07CV5554           37         Gualpa, Rosa         07CV4472           38         Guzman, Armando         07CV5556           39         Hernando, Avenia         07CV05295           40         Hurtado, Julio         07CV05295           41         Idrovo, Edgar         07CV01627           42         Idrovo, Manuel         07CV01628           43         Inga, Jorge         07CV01629           44         Jablonski, Jozef         07CV01630           45         Jaramillo, Jonas         06CV14746           46         Karus, Marian         07CV01635           47         Lascano, Ana         05CV9333           48         Lasica, Andrezej         07CV4480           49         Lenis, Carlos         06CV10045           50         Leon, Cesar         07CV4480           49         Leon, Ines         07CV4481           51         Leon, Ines         07CV4481           52         Loja, Wilmo         07CV4482           53         Lucero, Fernando         07CV05366           54         Medina, Rosa         07CV05397		Gaspar, Peter	05CV10739
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38   Guzman, Armando   07CV5556     39   Hernando, Avenia   07CV4473     40   Hurtado, Julio   07CV05295     41   Idrovo, Edgar   07CV1627     42   Idrovo, Manuel   07CV01628     43   Inga, Jorge   07CV01629     44   Jablonski, Jozef   07CV01630     45   Jaramillo, Jonas   06CV14746     46   Karus, Marian   07CV01635     47   Lascano, Ana   05CV9333     48   Lasica, Andrezej   07CV4480     49   Lenis, Carlos   06CV10045     50   Leon, Cesar   07CV4481     51   Leon, Ines   07CV4481     52   Loja, Wilmo   07CV4482     53   Lucero, Fernando   07CV05366     54   Medina, Rosa   07CV4491     55   Melendez, Maria   07CV05397     56   Mendez, Juan   07CV01664     57   Merchan, Carlos   07CV01665     58   Mora, Eugenio   06CV13168     59   Morales, Tatiana   07CV05370     60   Moreno, Sandra   07CV0670     61   Naranjo, Luis   07CV00082     62   Naranjo, Walter   07CV04496     63   Negrete, Oscar   07CV05371     64   O'Connell, Sean   07CV05311     65   Riera, Maximo   07CV1519			
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50       Leon, Cesar       07CV063         51       Leon, Ines       07CV4481         52       Loja, Wilmo       07CV4482         53       Lucero, Fernando       07CV05366         54       Medina, Rosa       07CV04491         55       Melendez, Maria       07CV05397         56       Mendez, Juan       07CV01664         57       Merchan, Carlos       07CV01665         58       Mora, Eugenio       06CV13168         59       Morales, Tatiana       07CV05370         60       Moreno, Sandra       07CV1670         61       Naranjo, Luis       07CV00082         62       Naranjo, Walter       07CV04496         63       Negrete, Oscar       07CV05371         64       O'Connell, Sean       07CV05374         65       Palaguachi, Rosa       07CV1680         66       Reynolds, David       07CV3446         67       Rhoden, Marcel       07CV05311         68       Riera, Maximo       07CV1519		Lenis, Carlos	06CV10045
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75	Sarmiento, Edwin	07CV4515
76	Sarmiento, Galo	07CV1529
77	Serrano, Theresa	05CV8937
78	Siguencia, Raul	07CV1533
79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
81	Teham, Nicholas	07CV5564
82	Tenezaca, Julia	07CV1714
83	Teran, Cesareo	07CV05389
84	Thorpe, Jeanne	07CV1715
85	Vasquez, Rommel	07CV1543
86	Vazquez, Kattia	07CV1722
87	Vega, Severo	07CV4521
88	Villarroel, Segundo	07CV1546
89	Villarruel, Kleber (Paredes)	06CV13703
90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
92	Watson, Ancil	07CV05391
93	Wragg, Clarence	06CV8125